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Attorneys for Defendants

**IN THE UNITED STATES DISTRICT COURT**

**DISTRICT OF OREGON**

(Medford Division)

LLOYD D. WHALEY, TODD L. WHALEY,	)	Civil No. 1:10-cv-03057-PA
	)	
Plaintiffs,	)	<b>FIFTY-TWO DEFENDANTS'</b>
	)	<b>MOTION TO COMPEL ANSWERS</b>
v.	)	<b>TO WRITTEN DISCOVERY</b>
	)	
PACIFIC SEAFOOD GROUP; DULCICH, INC.;	)	<b>Expedited Hearing Requested</b>
FRANK DULCICH; PACIFIC SEAFOOD GROUP	)	
ACQUISITION COMPANY, INC.; BANDON	)	
PACIFIC, INC.; BIO-OREGON PROTEIN, INC.;	)	
NORTH BEND OYSTER COMPANY, INC.;	)	
PACIFIC CHOICE SEAFOOD COMPANY;	)	
PACIFIC COAST SEAFOODS COMPANY;	)	
PACIFIC GARIBALDI, INC.; PACIFIC GOLD	)	
SEAFOOD COMPANY; PACIFIC OYSTER CO.;	)	

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**FIFTY-TWO DEFENDANTS' MOTION TO  
COMPEL ANSWERS TO WRITTEN  
DISCOVERY**

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PACIFIC PRIDE SEA FOOD COMPANY; )  
 PACIFIC SURIMI CO., INC.; PACIFIC TUNA )  
 COMPANY, LLC; WASHINGTON CRAB )  
 PRODUCERS, INC.; PACIFIC AQUACULTURE, )  
 INC.; PACIFIC ALASKA SHELLFISH, INC.; )  
 SEA LEVEL SEAFOODS, LLC; ISLAND FISH )  
 CO., LLC; PACIFIC RESURRECTION BAY; )  
 PACIFIC CONQUEST, INC.; CALAMARI, LLC; )  
 JO MARIE, LLC; LESLIE LEE, LLC; MISS )  
 PACIFIC, LLC; PACIFIC FUTURE, LLC; )  
 PACIFIC GRUMPY J, LLC; PACIFIC HOOKER, )  
 LLC; PACIFIC HORIZON, LLC; PACIFIC )  
 KNIGHT, LLC; PRIVATEER, LLC; SEA )  
 PRINCESS, LLC; TRIPLE STAR, LLC; PACIFIC )  
 FISHING, LLC; PACIFIC SEA FOOD OF )  
 ARIZONA, INC; STARFISH INVESTMENTS, )  
 INC.; DULCICH SURIMI, LLC; BIO-OREGON )  
 PROPERTIES, LLC; PACIFIC GROUP )  
 TRANSPORT CO.; PACIFIC MARKETING )  
 GROUP, INC.; PACIFIC RUSSIA, INC.; PACIFIC )  
 RUSSIA VENTURES, LLC; PACIFIC TUNA )  
 HOLDING COMPANY, INC.; POWELL STREET )  
 MARKET, LLC; PACIFIC FRESH SEA FOOD )  
 COMPANY; SEACLIFF SEAFOODS, INC.; )  
 COPPER RIVER RESOURCE HOLDING CO., )  
 INC.; PACIFIC COPPER RIVER ACQUISITION )  
 CO., INC.; SEAL LEVEL SEAFOODS )  
 ACQUISITION, INC.; ISLAND COHO, LLC; )  
 S&S SEAFOOD CO., INC.; PACIFIC SEAFOOD )  
 DISC., INC., OCEAN GOLD SEAFOODS, INC., )  
 OCEAN COLD LLC, OCEAN PROTEIN, LLC, )  
 OCEAN GOLD FISHERIES LLC, and OCEAN )  
 GOLD TRANSPORT LLC, )

Defendants.

Defendants certify that the parties made a good faith effort through telephone conference to resolve this dispute and were unable to do so.

Fifty-two defendants (the “Moving Defendants,” who are all of the corporate defendants named in the First Amended Complaint other than Pacific Choice Seafood Company and

Washington Crab Producers, Inc.) respectfully move to compel responsive answers to Requests to Admit 1-5, Interrogatories 1-5, and Document Request 2-3 in each of the Moving Defendants' separate sets of written discovery to plaintiffs, served September 8, 2010. One example of the Moving Defendants' identical written discovery requests is attached to their memorandum in support of this motion as Exhibit A; plaintiffs' response is attached to that memorandum as Exhibit B. For the reasons set forth in their memorandum, the Moving Defendants' motion to compel should be granted.

DATED this 18<sup>th</sup> day of October, 2010.

**PACIFIC SEAFOOD GROUP ACQUISITION  
COMPANY, INC., et al.**

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**CERTIFICATE OF SERVICE**

Pursuant to Local Rule 100-8, the foregoing Motion was filed on October 18, 2010, through the Court's CM/ECF system, which will serve copies electronically on all counsel of record, including plaintiffs' counsel at the following email addresses: [mhaglund@hk-law.com](mailto:mhaglund@hk-law.com), [kelley@hk-law.com](mailto:kelley@hk-law.com), [llaplante@hk-law.com](mailto:llaplante@hk-law.com), [pvanderheiden@hk-law.com](mailto:pvanderheiden@hk-law.com), [sscott@hk-law.com](mailto:sscott@hk-law.com).

s/ Mitchell D. Raup

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